

Memorandum

TO: RULES COMMITTEE

FROM: LEE PRICE, CMC
CITY CLERK

DEANNA J. SANTANA

SUBJECT: SEE BELOW

DATE: April 4, 2005

SUBJECT: MONTHLY REPORT ON OUTSTANDING PUBLIC RECORDS ACT REQUESTS

RECOMMENDATION

Receive and file the Report.


ANALYSIS

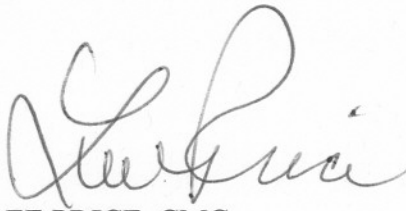
On January 25, 2005, the City Council directed staff to develop a comprehensive and effective procedure for handling all Public Records Acts requests and to report monthly to the Rules Committee on the status of outstanding requests. On March 2, the Rules Committee received a detailed report from staff describing measures taken and tools in place to ensure compliance. The City Council received a similar presentation by staff and approved staff's approach on March 22.

The Council's actions of January 25 included a directive that staff provide monthly reports to the Rules Committee of outstanding Public Records Act requests, their status and associated costs to the City for compliance. Staff has developed a Public Records Act Log, or "PRA Log", to track records requests that are either complex in nature or require some coordinated effort to respond to (as opposed to routine, "over-the-counter" requests that are simply handled in the regular course of business in many departments throughout the City).

This report represents the first monthly report in compliance with Council's directive. The period covered is February 14 (when staff launched the tracking effort) through March 30. It not only includes information about outstanding requests, it also includes information about several requests that have already been complied with since the launching this effort. In the coming months, the report will include only those requests that are outstanding at the time the report is written for placement on the Rules Committee agenda for the first meeting of the month. This log will also be posted on the City's website for easy access by the public.

Training for Department Records Coordinators will take place on Thursday, April 7. We continue to work with each department to ensure proper training and tracking so that we can provide the Rules Committee with more complete information, particularly as it relates to estimating the hourly costs for staff to respond to the requests, as it compares to the actual fees we are allowed by law to charge for records.


DEANNA J. SANTANA
CHIEF OF STAFF


LEE PRICE, CMC
CITY CLERK

Attachment: PRA Log for 2/14 – 3/30/05

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Range: 2/14 – 3/30/05

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹ Recoverable Costs
2/14/05 TO: CLERK FROM: CIVIL GRAND JURY	ALL RECORDS RE NORCAL CONTRACTS	PENDING – MTG HELD, DOCS PRODUCED AWTG PICK-UP	NOT KNOWN	NONE

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹ Recoverable Costs
2/16/05 TO: P.D. FROM: ACLU – NORTHERN CALIF	ACLU TASER USE DOCUMENTS, TRAINING, USAGE STUDY OF 110 INCIDENTS.	COMPLETED	72 HRS. \$3,492.00	\$8.70

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹ Recoverable Costs
2/16/05 TO: COUNCILMEMBERS FROM: TRACY KAPLAN/MERC NEWS	COPIES OF COUNCILMEMBER'S CALENDARS, ETC.	3/4/05 - COMPLETED	3 HRS. 145.14	

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
2/17/05 TO: TOM MANHEIM FROM: TRACY KAPLAN/MERC NEWS	LIST OF PEOPLE WHO SERVE OR SERVED ON THE TWO PANELS THAT INTERVIEWED CANDIDATES FOR THE AVIATION DIRECTOR JOB	PENDING – HAVE RESPONDED		

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
2/23/05 TO: CAO FROM: GREAT OAKS	CALENDAR INFORMATION OF CITY COUNCILMEMBERS AND CITY OFFICIALS	PENDING	5 HRS. \$241/90	

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
2/25/05 TO: KATY ALLEN FROM: MEL SAKATA/SOUTH BAY PIPING INDUSTRY LABOR MGMT TRUST	A COPY OF THE GENERAL CONTRACTOR'S ROSTER OF SUBCONTRACTORS USED ON THE "TIERRA ENCANTADA" PROJECT	COMPLETE		

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
RECEIVED: 11/17/04 TO: JAMES HELMER FROM: MELISSA KASNITZ, DISABILITY RIGHTS ADVOCATES	ADA SELF EVALUATION & TRANSITION PLAN; STREET RESURFACING SCHEDULE & HISTORY; CURB RAMP INSTALLATION SCHEDULE & HISTORY	INITIAL RESPONSE: 12/24/04 MAIN RESPONSE: 1/31/05 FOLLOW UP RESPONSES: 2/24/05 & 3/7/05	50 HRS. \$2,419	\$8.50 (85 PAGES COPIED AT \$.10/PAGE) INVOICE SUBMITTED 2/24/05 PAYMENT NOT YET RECEIVED

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
2-17-05	INFORMATION ON SWORN AND CIVILIAN POLICE DEPARTMENT EMPLOYEES	ONGOING	TBD	

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
2/21/05 TO: LAUREL PREVETTI FROM: DAVID BISCHOFF/CITY OF MORGAN HILL	REQUESTING CERTAIN DOCUMENTS RE: COYOTE VALLEY SPECIFIC PLAN	3/7/05 – CAO RESPONDED – COMPLETION PENDING	4 HRS. 193.52	

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
2/24/05	CITY OF OAKLAND RE: DOCUMENTS ON POLICE OVERTIME	COMPLETED	67 HRS. \$3,250.00	\$42.60

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/3/05 TO: COUNCILMEMBERS FROM: TRACY KAPLAN/MERC NEWS	REQUEST FOR CALL SHEETS	3/18/05 COMPLETED	3 HRS. \$145.14	

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
03/04/05	1. SQ. FOOTAGE OF CURRENTLY OPERATED STORES 2. BREAK DOWN OF DUTY FREE VERSUS DUTY PAID 3. REVENUE PER STORE 4. REVENUE TO THE AIRPORT	COMPLETED	3 HRS. \$145.14	NONE

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
FILED WITH CAO – DATE FILED UNKNOWN CLERK REC'D REQUEST 3/10/05	EXPENSE INFO RE VARIOUS CITY OFFICIALS INCLUDING THE MAYOR, CITY MANAGER AND OTHR SENIOR STAFF	PENDING	CITY CLERK: 102.90	\$2.90

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3-9-05	GREAT OAKS RE: ANY EXPENSE INFORMATION FOR ANY TRAVEL, MILEAGE, PARKING, MEALS, ETC. FROM JAN 1999-PRESENT	CAO HAS REQUESTED THAT THIS REQUEST BE NARROWED TO FACILITATE RESPONDING	UNCALCULABLE IN IT'S CURRENT FORM	

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3-10-05	GREAT OAKS RE: DAILY CALENDAR ENTRIES, DAILY PLANNER, ETC. FOR VARIOUS CITY OFFICIALS FROM JAN 1999- PRESENT	DUE APRIL 1	CMO: 40 HR. \$1,935.20 (DOES NOT ACCOUNT FOR OTHER RESPONDER'S TIME)	

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/11/05	RECORDS PERTAINING TO DEATH OF W.D. TAYLOR	PENDING – PD FILES IN OFFSITE STORAGE- PARTY HAS BEEN NOTIFIED		

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/11/05 TO: CAO/ANIMAL SERVICES FROM: ATTY ROBERT PADRICK	RECORDS OF DOG BITING INCIDENT AT 1160 S. 11ST ST.	3/21/05 - COMPLETED		

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/15/05 TO: CHIEF ROB DAVIS FROM: DAVID TAYLOR	USE OF FORCE POLICY	COMPLETED		

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/18/05 TO: CAO FROM: TRACY KAPLAN/MERC NEWS	NORTEL CONTRACT DOCUMENTS, SCHDULE C OF PROPOSAL AND PRICING DOCUMENTS	COMPLETED	96.76	\$19.20

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/23/05 TO: CAO FROM: ALLSTATE	OPERATION OF TRAFFIC SIGNAL LIGHTS AT FRUITDALE AND SOUTHWEST EXPY	COMPLETED	.5 HR. \$24.19	

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/23/05 TO: CAO FROM: SANDY BRUNDAGE/ALMADEN RESIDENT PAPER	DOCUMENTS INDICATING EACH INDIVIDUAL EXPEDITED INSPECTION FEE PAID BY IND. BUSINESS OWNERS OVER THE LAST 2 YEARS PER PROJECT PER COUNCIL DISTRICT	COMPLETED	7 HRS. \$388.66	NONE

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/24/05 TO: FRANK KIRKBRIDE FROM: PIPER RUDNICK GRAY CARY	COPIES OF RECORDS AND COMMUNICATION BETWEEN CITY AND FAA	PENDING		

¹Recoverable costs may only include copy fees, as approved by the City Council

**CITY OF SAN JOSE
PUBLIC RECORDS ACT REQUEST LOG**

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/25/05 TO: STEPHEN HAASE FROM: PRESERVATION ACTION COUNCIL OF SJ	RECORDS OF DISCUSSION BETWEEN CITY STAFF AND ELECTED OFFICIAL RE: KB HOME MONTE VISTA PRESIDENTIAL PD ZONING PROJECT (DEL MONTE PLANT #3 SITE)	PENDING		

Date Rcvd.	Nature of Request	Status	Estimated Costs	¹Recoverable Costs
3/28/05 TO: DEL BORGS DORF & HARRY MAVROGENES FROM: BARRY WITT/MERC NEWS	DOCUMENTS RE: KB HOME MONTE VISTA RESIDENTIAL PD ZONING PROJECT (DEL MONTE PLANT #3 SITE)	PENDING		

¹Recoverable costs may only include copy fees, as approved by the City Council